

REMARKS

In the March 15, 2005 Office Action, all of the pending claims stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the March 15, 2005 Office Action, Applicants have amended the claims as indicated above. Thus, claims 31-37 are pending, with claim 32 being the only independent claim. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Entry of February 10, 2005 Amendment

In paragraph 1 of the Office Action, the Office Action indicates that Applicants' February 10, 2005 Amendment has been entered.

Rejections - 35 U.S.C. § 102

In paragraph 5 of the Office Action, claims 29-33 and 35-37 stand rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Publication No. 5-319350 (Date). In response, Applicants have amended independent claim 32 to clearly define the present invention over the prior art of record.

In particular, independent claim 32 recites a cleat engagement mechanism that includes a front clamping member and a rear clamping member. The rear clamping member includes a forwardly facing rear pedal *control surface*. The forwardly facing rear pedal *control surface* is a ***transfer surface***. This structure is ***not*** disclosed or suggested by Date or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference.

Date discloses a cleat engagement mechanism with a rear clamping member. However, Applicants respectfully submit that Date does not show a forwardly facing rear pedal *control surface*. The surface pointed to in the attachment to the Office Action is not a forwardly facing rear pedal *control surface* because it is ***not a transfer surface***. That is, the surface pointed to in the attachment does not transfer a force from a cleat. Indeed, the surface pointed to in the attachment does not contact the cleat and therefore has no control aspect, which could cause it to be considered a *control surface*. Therefore, Applicants respectfully submit that claim 32, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that dependent claims 31, 33 and 35-37 are also allowable over the prior art of record in that they depend from independent claim 32, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate independent claim 32, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

Rejections - 35 U.S.C. § 103

In paragraph 8 of the Office Action, claim 34 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Date.

Applicants believe that dependent claim 34 is allowable over the prior art of record in that it depends from independent claim 32, and therefore is allowable for the reasons stated above. Also, dependent claim 34 is further allowable because it includes additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or

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suggest the invention as set forth in independent claim 32, the prior art of record also fails to disclose or suggest the invention as set forth in dependent claim 34.

Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments and amendments.

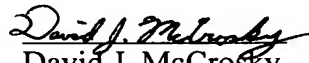
Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

Conclusion

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 31-37 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


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